

REMARKS

Upon entry of the Amendment, claims 1-10 are pending in the application. Claim 10 is new. The specification supports new claim 10, such as on page 7. Therefore, no new matter has been added.

Claims 1-3, 5 and 6 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,289,640 to Ueda *et al.* ("Ueda '640").

Additionally, claims 4 and 7-9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueda '640.

Applicants respectfully traverse these rejections.

Claim 1 presently recites a pressure-sensitive adhesive layer.

In contrast, Ueda '640 discloses a rubber layer 33. Referring to page 2 of the Office Action, the Examiner asserts that the rubber layer 33 need not be identical to the claimed pressure-sensitive adhesive layer, but needs to perform as the pressure-sensitive layer would.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. In addition, for anticipation, the identical invention must be shown in as complete detail as is contained in the claim. *See* MPEP §2131 (emphasis added). Accordingly, since the rubber layer is not a pressure-sensitive adhesive layer (and would not necessarily work as a pressure-sensitive adhesive layer), Ueda '640 does not disclose an invention that is "identical" to the invention according to claim 1.

In addition, the Examiner asserts that Ueda '640 and the present invention are in the same filed of endeavor. Ueda '640 relates to bearings used in general constructions, including

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buildings and bridges, whereas the present invention is used in recording media. Thus, the fields of endeavor are different. In addition, Ueda '640 is not reasonably pertinent to the particular problem with which the inventions are involved.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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